

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

Civil Action No. 23-CV-03-JAR

BRYAN BLANCK,

Defendant.

COMPLAINT

The Plaintiff, the United States of America *ex rel.* the United States Department of Veteran’s Affairs (the “United States”), by and through Christopher J. Wilson, United States Attorney for the Eastern District of Oklahoma, and Michael O’Malley, Assistant United States Attorney, for its Complaint against Dr. Bryan Blanck (“Blanck”), an individual, alleges and states:

JURISDICTION AND VENUE

1. The plaintiff brings this action on behalf of the United States Department of Veteran's Affairs, an agency and instrumentality of the United States, and jurisdiction is vested in this court by virtue of 28 U.S.C. § 1345.

2. This action further arises under the False Claims Act, 31 U.S.C. § 3729-3733 and this Court therefore has jurisdiction under 31 U.S.C. § 3730(a).

3. Venue is proper because a substantial part of the events giving rise to these claims occurred within the Eastern District of Oklahoma. 28 U.S.C. §1395(a).

FACTUAL ALLEGATIONS

4. Valley View Foot and Ankle Center (“VVFAC”) is a medical group practice located in Ada, Oklahoma that specializes in podiatry. Defendant Bryan Blanck is a podiatrist who practiced at, and owned, VVFAC at all relevant times.

5. The United States alleges that Blanck violated provisions of the False Claims Act (“FCA”), 31 U.S.C. §§ 3729-3733, *et seq.* The United States allege that the defendant violated the FCA by submitting claims to health care programs for medically unnecessary and inappropriate levels of care from August 14, 2015 through February 26, 2019.

6. Blanck has denied the allegations of the United States and admits no liability or wrongdoing, but has consented to the entry of an Agreed Judgment to avoid the delay, uncertainty, inconvenience, and expense of protracted litigation of such claims.

CAUSE OF ACTION – False Claims Act, 31 U.S.C. § 3729(a)(1)

7. Paragraphs 1-6 of this Complaint are hereby re-alleged and incorporated as though set forth in full herein.

8. The Federal False Claims Act provides for monetary damages and civil penalties plus three times the amount of damages when a person knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval.

9. Specifically, the United States contends the Defendant, *inter alia*, engaged in in the following conduct during the period from August 14, 2015 through April 2, 2019:

- (a) Billed and received payment for medically unnecessary and inappropriate levels of care;
- (b) Unbundled and billed CPT codes with skin substitutes that were medically unnecessary;
- (c) Copy and pasted medical notes; and

(d) Misrepresented seriousness of wounds to a government contractor.

10. By reason of the foregoing, Blanck knowingly presented or caused to be presented false or fraudulent claims for medical fees.

11. VA Choice/Patient-Centered Community Care, unaware of the foregoing circumstances and conduct of the Defendant, and in reliance on false or fraudulent claims, made payments which resulted in it being damaged in the amount more than \$7,000,000.

12. By reasons of the false and fraudulent claims, the Defendant violated the False Claims Act, 31 U.S.C. § 3729(a)(1).

PRAYER FOR RELIEF

The United States requests that a judgment be entered against Defendant as follows:

- (a) For damages in the amount of \$7,000,000 plus interest beginning August 25, 2023;
and
(b) All other relief to which the United States may be entitled.

Respectfully,

CHRISTOPHER J. WILSON
United States Attorney

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